

REMARKS

Favorable consideration and allowance are requested for claims 1-6 and 8-10 in view of the following remarks.

Status of the Application

Claims 1-6 and 8-10 are pending in this application. Claims 1, 2, and 4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,958,974 to Prehofer (the “Prehofer patent”) in view of Japanese Patent Publication No. 2003-249945 to Yamamoto *et al.* (the “Yamamoto publication”). Claims 3 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Prehofer patent in view of the Yamamoto publication and further in view of U.S. Patent No. 7,245,610 to Kalmanek *et al.* (the “Kalmanek patent”). Claims 5 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Prehofer patent in view of the Yamamoto publication, further in view of the Kalmanek patent, and further in view of U.S. Patent Publication No. 2005/0147052 to Wu (the “Wu publication”). Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the Prehofer patent in view of the Yamamoto publication and further in view of the Wu publication. Claim 1 has been amended. Claim 10 has been added.

Rejections under 35 U.S.C. § 103(a)

According to the Office Action, the combination of the Prehofer patent and the Yamamoto publication renders independent claim 1 obvious. In response, Applicants submit that the amendment to claim 1 makes the rejection moot.

In particular, the Prehofer patent is not directed to either call admission or any decision-making process for dropping calls. Instead, the Prehofer patent is primarily directed to maintaining acceptable conditions for calls already in transmission. Although it indicates that it can be necessary to terminate a transmission, the Prehofer patent does not disclose how that might be done. In addition, the Yamamoto publication is directed to terminating failing calls and is not directed to optimizing network usage or in establishing new connections.

In summary, neither the Prehofer patent nor the Yamamoto publication, alone or in combination, disclose or suggest the subject matter of claim 1. Therefore, Applicants respectfully submit that claim 1 is patentable over the cited references. For the same reasons, claims 2 and 4 are also patentable.

With respect to claims 3, 5, 6, 8, and 9, Applicants respectfully submit that the other cited references fail to disclose the subject matter of claim 1 missing from the Prehofer patent and Yamamoto publication, as discussed above. Therefore, claims 3, 5, 6, 8, and 9 are also patentable.

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If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and

please charge any deficiency in fees or credit any overpayments to Deposit

Account No. 05-1323 (Docket # 038665.56185US).

Respectfully submitted,

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